



UNITED STATES DEPARTMENT OF COMMERCE  
Pat nt and Trademark Offic  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS

## **FAX COVER SHEET**

**TO:** Robin L. Teskin

**FROM::** Examiner Chang, Art Unit 1625

**RE:** SN 10/089,169 Attorney's Docket: P0280714

**MESSAGE:** Restriction

**TOTAL PAGE** (including cover page) 3

If transmission is incomplete please contact Examiner Chang at 703-308-4702.

### DETAILED ACTION

1. Claims 1-24 are in the case.

2. *Election/Restrictions*

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1:

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 1-9, drawn to compounds and method of treating cocaine abuse, depression etc.

Group II, claims 10-16, drawn to method of controlling dopamine flow.

Group III, claims 17-19, drawn to method of modulating dopamine reuptake.

Group IV, claims 20-22, drawn to method of treating neurological disorder.

Group V, claims 23-24, drawn to compounds and method of treating cocaine abuse, depression etc..

The inventions listed as Groups I-V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: under PCT Administrative Instruction Annex B, (f) Markush practice, under subscript (B)v, it was stated "when dealing with alternatives, if it can be shown that *at least* one Markush alternative is **not novel over the prior art, the question of unity of invention shall be reconsidered...**". In the instant case, at least one Markush alternative is not novel, see CA 74:68906 RN 31088-27-4 anticipates claim 1.

This facsimile restriction is analogous to the telephonic restriction. Applicants are urged to respond with election to Examiner Chang (703-308-4702) promptly.